

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

ALEXANDRA KUSEN, on behalf of herself
and all others similarly situated,

Plaintiff,

V.

JAMES H. HERBERT, II, HAFIZE GAYE ERKAN, MICHAEL J. ROFFLER, OLGA TSOKOVA, MICHAEL D SELFRIDGE, NEAL HOLLAND, and KPMG, LLP,

Defendants.

Case No. 3:23-cv-2940-AMO

**[PROPOSED] ORDER GRANTING
MOTION TO INTERVENE BY
FEDERAL DEPOSIT INSURANCE
CORPORATION AS RECEIVER FOR
FIRST REPUBLIC BANK**

CLASS ACTION

Judge: Hon. Araceli Martínez-Olguín

Date: January 11, 2024

Time: 2:00 p.m.

Place: Courtroom 10 – 19th Floor
450 Golden Gate Avenue,
San Francisco, CA 94102

The motion of the Federal Deposit Insurance Corporation as Receiver for First Republic Bank (“FDIC-R”) to intervene in this action pursuant to Federal Rule of Civil Procedure 24(a) and 24(b), came for hearing on January 11, 2024, at 2:00 p.m. in Courtroom 10 of the above-entitled Court. Having considered the briefs and other documents in support of and in opposition to the motion, the pleadings and records on file in this action, and the oral arguments presented and being fully advised in this matter, it is hereby

ORDERED that the FDIC-R's Motion to Intervene is **GRANTED**, and it is further

ORDERED that the FDIC-R shall file its Motion to Dismiss, which was attached as Exhibit 2 to the Motion to Intervene, on the docket within 7 days.

It is SO ORDERED.

Dated:

**ARACELI MARTÍNEZ-OLGUÍN
UNITED STATES DISTRICT JUDGE**

[PROPOSED] ORDER GRANTING FDIC-R'S MOTION TO INTERVENE